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Docket No.: 300.1023
 Date: September 27, 2006

In re application of: Chih-Ming Chen, et al.
 Serial No.: 09/726,193
 Filed: November 29, 2000
 For: **CONTROLLED RELEASE METFORMIN FORMULATIONS**

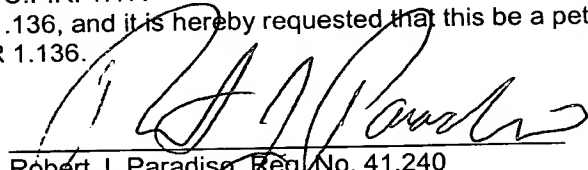
Sir:

Transmitted herewith is an **RESPONSE** (14 pages) in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
☒ No fee for additional claims is required.
☐ A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)	(Col. 2)	SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING	HIGHEST	RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY					
	AMENDMENT	PAID FOR					
		PRESENT					
		EXTRA					
TOTAL CLAIMS	* Minus**	=	0	x \$ 9		x \$ 18	\$
INDEP. CLAIMS	* Minus***	=	0	x \$ 40		x \$ 80	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$135		+ \$270	\$
TOTAL:			\$		OR	TOTAL: \$	

- ☒ Also transmitted herewith are:
☐ Petition for two (2) month extension under 37 C.F.R. 1.136
☒ Other: Exhibit A: copy of U.S. Patent No. 4,900,558
- ☐ Check(s) in the amount **\$0.00** of is/are attached to cover:
☐ Filing fee for additional claims under 37 C.F.R. 1.16
☐ Other:
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.


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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with sufficient postage to the United States Postal Service as "first class mail" in an envelope addressed to Mail Stop: AF "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on September 27, 2006.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 
 Elizabeth Pietrowski



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/726,193
Applicant: Chih-Ming CHEN, et al.
Filed: November 29, 2000
TC/A.U. 1615
Examiner: B. Fubara
For: **CONTROLLED RELEASE
METFORMIN FORMULATIONS**

Docket No.: 300.1023

Customer No.: 23280

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PO Box 1450
Alexandria, VA 22313-1450

September 27, 2006

RESPONSE

Sir:

In response to the Final Office Action mailed June 29, 2006, Applicants request that the Examiner reconsider the above-identified application in view of the following:

Listing of the Claims begins on page 2 of this paper.

Remarks begin on page 9 of this paper.